

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Newport News Division



UNITED STATES OF AMERICA

v.

EDWARD JOSEPH MATISH III

Criminal No. 4:16CR 16

18 U.S.C. § 2252A(a)(5)
Access with Intent to View Child
Pornography
(Counts 1-4)

18 U.S.C. § 2253
Forfeiture

INDICTMENT

February 2016 Term - At Newport News, Virginia

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about February 27, 2015, in the Eastern District of Virginia, the defendant, EDWARD JOSEPH MATISH III, did knowingly access with intent to view material, that is a website, which contains an image of child pornography, as defined 18 U.S.C. § 2256(8), involving a prepubescent minor, that had been mailed, shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer.

(In violation of Title 18, United States Code, Section 2252A(a)(5) and(b)(2).)

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 28, 2015, in the Eastern District of Virginia, the defendant, EDWARD JOSEPH MATISH III, did knowingly access with intent to view material, that is a website, which contains an image of child pornography, as defined 18 U.S.C. § 2256(8), involving a prepubescent minor, that had been mailed, shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer.

(In violation of Title 18, United States Code, Section 2252A(a)(5) and(b)(2).)

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 2, 2015, in the Eastern District of Virginia, the defendant, EDWARD JOSEPH MATISH III, did knowingly access with intent to view material, that is a website, which contains an image of child pornography, as defined 18 U.S.C. § 2256(8), involving a prepubescent minor, that had been mailed, shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer.

(In violation of Title 18, United States Code, Section 2252A(a)(5) and(b)(2).)

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 3, 2015, in the Eastern District of Virginia, the defendant, EDWARD JOSEPH MATISH III, did knowingly access with intent to view material, that is a website, which contains an image of child pornography, as defined 18 U.S.C. § 2256(8), involving a prepubescent minor, that had been mailed, shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer.

(In violation of Title 18, United States Code, Section 2252A(a)(5) and(b)(2).)

FORFEITURE

THE GRAND JURY FURTHER ALLEGES AND FINDS PROBABLE CAUSE THAT:

1. Pursuant to Rule 32.2(a) FED. R. CRIM. P., the defendant is hereby notified that, if convicted of any of the violations alleged in Counts 1 through 4 of this Indictment, the defendant shall forfeit his interest in the following property to the United States as part of his sentencing:

a. any and all matter which contains child pornography or any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, 2252, 2252A, 2252B, or 2260 produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Section 2251 *et seq.*;

b. any and all property, real or personal, used or intended to be used to commit or to promote the commission of violations of Title 18, United States Code, Section 2251 *et seq.*, and any property traceable to such property; and

c. any and all property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the violations of Title 18, United States Code, Section 2251 *et seq.*.

2. If any property that is subject to forfeiture, as a result of any act or omission of the defendant (i) cannot be located upon the exercise of due diligence, (ii) has been transferred to, sold to, or deposited with a third party, (iii) has been placed beyond the jurisdiction of the Court, (iv) has been substantially diminished in value, or (v) has been commingled with other property that cannot be divided without difficulty, it is the intention of the United States to seek forfeiture of any other property of the defendant, as subject to forfeiture under Title 21, United States Code, Section 853(p).

3. The property subject to forfeiture includes, but is not limited to, the following:

- * Dell desktop, Inspiron On2330 model, serial number 7T1JBQ1, with a Seagate hard drive, model ST31000524AS, serial number 5VPB9PD9

(In accordance with Title 18, United States Code, Section 2253).

UNITED STATES v. EDWARD JOSEPH MATISH III
Criminal No. : 4:16cr 16

A TRUE BILL:

Redacted
FOREPERSON

DANA J. BOENTE
UNITED STATES ATTORNEY

Kaitlin C. Gratton
Kaitlin C. Gratton
Assistant United States Attorney